

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

P18-005-01-US

First Named Inventor: Perttu

Art Unit: 3643

Application Number: 10/795,782

Examiner: Kurt C. Rowan

Filed: 3/8/2004

Title: Live Bait Container with Sliding Door

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☒ Small entity - fee \$ 250.00 (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(l)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office action in the form of
Request for Continued Examination (identify the type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B The issue fee of \$ _____

☐ has been filed previously on _____.

☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

July 12, 2006

Date

Allen J. Oh

Typed or printed name

42,047

Registration Number, if applicable

Suite 4850, 225 South 6th Street

Address

612-332-8200

Telephone Number

Minneapolis, MN 55402

Address

Enclosure

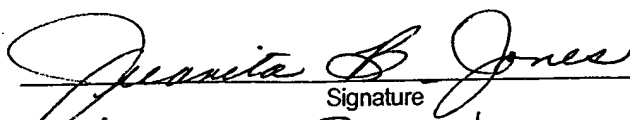
- ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.10(a))

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (512) 272-8300.

July 12, 2006
Date

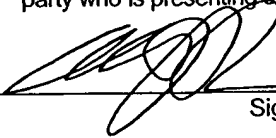


Signature

JUANITA B. JONES
Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

July 12, 2006

Date

Allen J. Oh

Typed or printed name

42,047

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

A final Office Action was mailed in this application on June 14, 2005.

Applicant filed an Amendment in response to the June 14, 2005 final Office Action on November 18, 2005.

An Advisory Action was mailed in this application on December 19, 2005. The Advisory Action stated that the period for reply expired six months from the mailing date of the final Office Action, i.e., December 14, 2005.

Accordingly, because the Advisory Action was mailed after the expiration of the period for reply, the instant application for patent was abandoned unavoidably.

Further, Applicant did not become aware of the abandonment until after February 24, 2006, when a Notice of Abandonment was mailed.

In the event that the Office deems that the facts set forth above do not constitute grounds for granting a petition to revive an unavoidably abandoned application, Applicant hereby states that the delay in filing the instant petition was unintentional and requests that the instant petition be treated, in the alternative, as a petition to revive an unintentionally abandoned application under 37 CFR 1.137(b).

(Please attach additional sheets if additional space is needed.)